

(1) local bus-only public transportation systems; and

(2) selected public transportation systems that receive funds under section 5311 of title 49, United States Code.

SEC.—104. SECURITY ASSISTANCE GRANTS.

(a) CAPITAL SECURITY ASSISTANCE PROGRAM.—

(1) IN GENERAL.—The Secretary of Homeland Security shall award grants directly to public transportation agencies for allowable capital security improvements based on the priorities established under section —103(a)(4).

(2) ALLOWABLE USE OF FUNDS.—Grants awarded under paragraph (1) may be used for—

- (A) tunnel protection systems;
- (B) perimeter protection systems;
- (C) redundant critical operations control systems;
- (D) chemical, biological, radiological, or explosive detection systems;
- (E) surveillance equipment;
- (F) communications equipment;
- (G) emergency response equipment;
- (H) fire suppression and decontamination equipment;
- (I) global positioning or automated vehicle locator type system equipment;
- (J) evacuation improvements; and
- (K) other capital security improvements.

(b) OPERATIONAL SECURITY ASSISTANCE PROGRAM.—

(1) IN GENERAL.—The Secretary of Homeland Security shall award grants directly to public transportation agencies for allowable operational security improvements based on the priorities established under section —103(a)(4).

(2) ALLOWABLE USE OF FUNDS.—Grants awarded under paragraph (1) may be used for—

- (A) security training for public transportation employees, including bus and rail operators, mechanics, customer service, maintenance employees, transit police, and security personnel;
- (B) live or simulated drills;
- (C) public awareness campaigns for enhanced public transportation security;
- (D) canine patrols for chemical, biological, or explosives detection;
- (E) overtime reimbursement for enhanced security personnel during significant national and international public events, consistent with the priorities established under section —103(a)(4); and
- (F) other appropriate security improvements identified under section —103(a)(4), excluding routine, ongoing personnel costs.

(c) CONGRESSIONAL NOTIFICATION.—Not later than 3 days before the award of any grant under this section, the Secretary of Homeland Security shall notify the Committee on Banking, Housing, and Urban Affairs of the Senate of the intent to award such grant.

(d) PUBLIC TRANSPORTATION AGENCY RESPONSIBILITIES.—Each public transportation agency that receives a grant under this section shall—

- (1) identify a security coordinator to coordinate security improvements;
- (2) develop a comprehensive plan that demonstrates the agency's capacity for operating and maintaining the equipment purchased under this section; and
- (3) report annually to the Department of Homeland Security on the use of grant funds received under this section.

(e) RETURN OF MISSPENT GRANT FUNDS.—If the Secretary of Homeland Security determines that a grantee used any portion of the grant funds received under this section for a purpose other than the allowable uses specified for that grant under this section, the

grantee shall return any amount so used to the Treasury of the United States.

SEC.—105. INTELLIGENCE SHARING.

(a) INTELLIGENCE SHARING.—The Secretary of Homeland Security shall ensure that the Department of Transportation receives appropriate and timely notification of all credible terrorist threats against public transportation assets in the United States.

(b) INFORMATION SHARING ANALYSIS CENTER.—

(1) ESTABLISHMENT.—The Secretary of Homeland Security shall provide sufficient financial assistance for the reasonable costs of the Information Sharing and Analysis Center for Public Transportation (referred to in this subsection as the "ISAC") established pursuant to Presidential Directive 63, to protect critical infrastructure.

(2) PUBLIC TRANSPORTATION AGENCY PARTICIPATION.—The Secretary of Homeland Security—

(A) shall require those public transportation agencies that the Secretary determines to be at significant risk of terrorist attack to participate in the ISAC;

(B) shall encourage all other public transportation agencies to participate in the ISAC; and

(C) shall not charge a fee to any public transportation agency for participating in the ISAC.

SEC.—106. RESEARCH, DEVELOPMENT, AND DEMONSTRATION GRANTS.

(a) GRANTS AUTHORIZED.—The Secretary of Homeland Security, in consultation with the Federal Transit Administration, shall award grants to public or private entities to conduct research into, and demonstrate, technologies and methods to reduce and deter terrorist threats or mitigate damages resulting from terrorist attacks against public transportation systems.

(b) USE OF FUNDS.—Grants awarded under subsection (a) may be used to

- (1) research chemical, biological, radiological, or explosive detection systems that do not significantly impede passenger access;
- (2) research imaging technologies;
- (3) conduct product evaluations and testing; and
- (4) research other technologies or methods for reducing or deterring terrorist attacks against public transportation systems, or mitigating damage from such attacks.

(c) REPORTING REQUIREMENT.—Each entity that receives a grant under this section shall report annually to the Department of Homeland Security on the use of grant funds received under this section.

(d) RETURN OF MISSPENT GRANT FUNDS.—If the Secretary of Homeland Security determines that a grantee used any portion of the grant funds received under this section for a purpose other than the allowable uses specified under subsection (b), the grantee shall return any amount so used to the Treasury of the United States.

SEC.—107. REPORTING REQUIREMENTS.

(a) SEMI-ANNUAL REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than March 31 and September 30 of each year, the Secretary of Homeland Security shall submit a report, containing the information described in paragraph (2), to—

- (A) the Committee on Banking, Housing, and Urban Affairs of the Senate;
- (B) the Committee on Homeland Security and Governmental Affairs of the Senate; and
- (C) the Committee on Appropriations of the Senate.

(2) CONTENTS.—The report submitted under paragraph (1) shall include—

- (A) a description of the implementation of the provisions of sections — 103 through 106;
- (B) the amount of funds appropriated to carry out the provisions of each of sections

— 103 through 106 that have not been expended or obligated; and

(C) the state of public transportation security in the United States.

(b) ANNUAL REPORT TO GOVERNORS.—

(1) IN GENERAL.—Not later than March 31 of each year, the Secretary of Homeland Security shall submit a report to the Governor of each State with a public transportation agency that has received a grant under this title.

(2) CONTENTS.—The report submitted under paragraph (1) shall specify—

(A) the amount of grant funds distributed to each such public transportation agency; and

(B) the use of such grant funds.

SEC.—108. AUTHORIZATION OF APPROPRIATIONS.

(a) CAPITAL SECURITY ASSISTANCE PROGRAM.—There are authorized to be appropriated \$2,370,000,000 for fiscal year 2007 to carry out the provisions of section —104(a), which shall remain available until expended.

(b) OPERATIONAL SECURITY ASSISTANCE PROGRAM.—There are authorized to be appropriated to carry out the provisions of section —104(b)—

- (1) \$534,000,000 for fiscal year 2007;
- (2) \$333,000,000 for fiscal year 2008; and
- (3) \$133,000,000 for fiscal year 2009.

(c) INTELLIGENCE.—There are authorized to be appropriated such sums as may be necessary to carry out the provisions of section —105.

(d) RESEARCH.—There are authorized to be appropriated \$130,000,000 for fiscal year 2007 to carry out the provisions of section —106, which shall remain available until expended.

SEC.—109. SUNSET PROVISION.

The authority to make grants under this title shall expire on October 1, 2009.

TITLE —IMPROVED RAIL SECURITY

SEC.—201. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This title may be cited as the "Rail Security Act of 2006".

(b) TABLE OF CONTENTS.—The table of contents for this title is as follows:

- Sec. —201. Short title; table of contents.
- Sec. —202. Rail transportation security risk assessment.
- Sec. —203. Systemwide AMTRAK security upgrades.
- Sec. —204. Fire and life-safety improvements.
- Sec. —205. Freight and passenger rail security upgrades.
- Sec. —206. Rail security research and development.
- Sec. —207. Oversight and grant procedures.
- Sec. —208. AMTRAK plan to assist families of passengers involved in rail passenger accidents.
- Sec. —209. Northern border rail passenger report.
- Sec. —210. Rail worker security training program.
- Sec. —211. Whistleblower protection program.
- Sec. —212. High hazard material security threat mitigation plans.
- Sec. —213. Memorandum of agreement.
- Sec. —214. Rail security enhancements.
- Sec. —215. Public awareness.
- Sec. —216. Railroad high hazard material tracking.
- Sec. —217. Authorization of appropriations.
- SEC.—202. RAIL TRANSPORTATION SECURITY RISK ASSESSMENT.

(a) IN GENERAL.—

(1) VULNERABILITY AND RISK ASSESSMENT.—The Secretary of Homeland Security shall establish a task force, including the Transportation Security Administration, the Department of Transportation, and other appropriate agencies, to complete a vulnerability and risk assessment of freight and